

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHRISTIAN OWENS,

No. 4:22-CV-01571

Plaintiff,

(Chief Judge Brann)

v.

DEB, *et al.*,

Defendants.

**ORDER**

AND NOW, this 23<sup>rd</sup> day of February 2023, in accordance with the accompanying Memorandum, IT IS HEREBY ORDERED that:

1. Plaintiff's motions (Docs. 5, 11) to proceed *in forma pauperis* are GRANTED.
2. Plaintiff's second amended complaint, Doc. 9, is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted. Plaintiff's Section 1983 conditions-of-confinement claims are DISMISSED without prejudice as to defendants Deb, Kerry, Tiffany, and Katherine. Plaintiff's Section 1983 conditions-of-confinement claims are DISMISSED with prejudice as to defendants Scott, Weller, and Sauble.
3. Plaintiff, if desired, shall have **21 days** from the date of this Order to file a third (and final) amended complaint.
4. If no third amended complaint is timely filed, the case will be closed.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann  
Chief United States District Judge